

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BOARD OF TRUSTEES OF THE  
LABORERS' DISTRICT COUNCIL  
CONSTRUCTION INDUSTRY PENSION  
FUND, *et al.*,

*Plaintiffs,*

v.

VG CONCRETE, LLC,  
*Defendant.*

CIVIL ACTION  
NO. 19-04642

**FILED**  
FEB 07 2020  
KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ORDER**

AND NOW, this 7th day of February 2020, upon consideration of Plaintiffs' Motion for Default Judgment (ECF No. 5) and Supplemental Appendix (ECF No. 7), it is **ORDERED** that:

- 1) Plaintiffs' Motion is **GRANTED**;
- 2) The Clerk of Court is **DIRECTED** to enter judgment in favor of Plaintiffs against VG Concrete in the amount of \$151,225.07;<sup>1</sup>
- 3) VG Concrete shall **PERMIT** Plaintiffs' accountant to audit all records under its control to determine the amount of unpaid contributions and other amounts due under the collective bargaining agreement **on or before Tuesday, April 7, 2020**;

<sup>1</sup> This figure includes: (1) \$110,404.01 for unpaid contributions from October 1, 2016, to March 31, 2018; (2) interest of \$17,898.28; (3) another \$17,898.28; (4) \$1,800 in audit fees; and (5) \$3,224.50 in attorneys' fees and costs.

- 4) Plaintiffs may **MOVE TO AMEND** this judgment within **thirty days of the audit's completion**. With their motion, Plaintiffs shall **SUBMIT** to the Court a copy of the audit showing the total amount due, including all unpaid contributions, accrued interest, liquidated damages, audit costs, attorneys' fees and litigation costs. This material must **INCLUDE** all necessary documentation—*e.g.*, affidavits, fee petitions, invoices or interest calculations.

BY THE COURT:



GERALD J. PAPPERT, J.